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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 SECTRA COMMUNICATIONS AB, and
8 COLUMBITECH INC.

9 Plaintiffs and Counter-
Defendants,

10 v.

11 ABSOLUTE SOFTWARE, INC. and MOBILE
12 SONIC, INC.,

13 Defendants and Counter-
14 Plaintiffs.

Case No. 2:22-cv-0353-RSM

**ORDER GRANTING IN PART
MOTION FOR OVERLENGTH
BRIEFING**

15 This matter comes before the Court on Defendants’ “Motion for Leave to File Overlength
16 Opposition Brief to Motion to Exclude.” Dkt. #423. Defendants point to Sectra’s Motion to
17 Exclude Defendants’ Experts, which is at Dkt. #389 and contains 4,198 words. An opposition to
18 a motion to exclude is typically limited to 4,200 words. LCR 7(e)(4). Defendants asks to file a
19 brief of 6,300 words. *Id.* at 2.
20

21 To explain their request, Defendants state:

22 The increase in word count is warranted to enable Defendants to
23 adequately explain the issues to the Court. Plaintiffs’ Motion to
24 Exclude seeks to exclude hundreds of pages of expert opinions
25 addressed to 7 different causes of action (two patent causes of
26 action, and five non-patent) across 5 reports from 4 different experts,
advancing nearly a dozen different rationales for the requested
exclusions. As a result, Plaintiffs’ motion provides merely cursory

1 explanations of the challenged testimony, leaving Defendants in the
2 position of having to explain the context for hundreds of pages of
3 testimony in an average of only 840 words per report. Given the
4 breadth of issues and technical qualifications at issue, a modest
expansion of the word count will better enable Defendants to explain
the various technical qualifications and context at issue in the
challenged testimony.

5 Dkt. #423 at 2.

6 “Motions seeking approval to file an over-length motion or brief are disfavored...” LCR
7 7(f). Motions to exclude do not necessarily require extensive briefing—that is why the Local
8 Rules do not include them alongside dispositive motions in LCR7(e)(3). It has been the Court’s
9 experience that less is often more with this type of motion. On the other hand, it is true that Sectra’s
10 Motion to Exclude touches on an unusually high number of expert reports. The Court finds that
11 only a “modest expansion” of the word Court is warranted. The requested relief would provide
12 Defendants with 50% more briefing on this issue. The Court will instead permit a 25% increase:
13 5,250 words for the opposition and 2,625 words for the reply.
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15 Having reviewed the Motion and the remainder of the record, the Court hereby finds and
16 ORDERS that Defendants’ Motion for Leave to File Over-length Opposition, Dkt. #423, is
17 GRANTED IN PART. The Court will permit 5,250 words for the opposition and 2,625 words for
18 the reply.
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20 DATED this 1st day of August, 2024.
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23 RICARDO S. MARTINEZ
24 UNITED STATES DISTRICT JUDGE
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